

PET

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Date: July 15, 2004

To: Jill Warden

Fax No.: 571--273-1267

From: Lori South

Fax No: 970-468-0104 Phone No.: 970-468-6600

RE: US Application No. 09/655,355 / Our File No. IMIN.P-039

No. of pages, including cover sheet: 6

Comments: Attached is the Request for Reconsideration of Decision on Petition we originally faxed on April 12, 2004. Also, attached is the facsimile receipt from the USPTO. Please match it with the file. Thank you for your assistance.

POSTAL ADDRESS: P.O. BOX 5088, DILLON, COLORADO 80435-5088
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Auto-Reply Facsimile Transmission



TO: Fax Sender at 9704680104
Fax Information
Date Received: 4/12/2004 6:39:36 PM [Eastern Daylight Time]
Total Pages: 4 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page
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04/12/2004 04:39 9704680104 OPPEDAHN AND LARSON LLP PAGE 01/04	
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
Applicant(s): Can	
Application No.: 09/655,355	Group Art Unit: 1743
Filed: 9/5/2000	Examiner: J. Snay
Title: Fertility Computing System and Method	
Attorney Docket No.: IMIN.P-039	
Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450	
<u>REQUEST FOR RECONSIDERATION OF DECISION ON PETITION</u>	
Dear Sir:	
<p>Applicants request reconsideration of Decision on Petition mailed April 8, 2004.</p> <p>The Decision on Petition states that "the Office Letter mailed March 26, 2003, clearly states that the drawings filed on September 5, 2000 are not acceptable for the reasons identified on the attached PTO-948." Accordingly, the Decision on Petition concludes that the abandonment was proper.</p> <p>Applicants did not receive an Office Letter mailed March 26, 2003. Furthermore, the PAIR system that is accessible to Applicants does not indicate that any paper was mailed on this date. A copy of this print out is attached. Thus, it may be that the paper that was considered in preparing the Decision on Petition was for another case. Thus, it is believed that the Application was improperly abandoned, and that it should be reinstated.</p> <p>Applicants further note that the original application contains an alternative request to</p>	
I hereby certify that this paper and any attachments named herein are transmitted to the United States Patent and Trademark Office, Fax number: (703) 872 9306 on <u>April 12, 2004</u> .	
<u>Marina T. Larson</u> Marina T. Larson, PTO Reg. No. 32,038	<u>April 12, 2004</u> Date of Signature
PAGE 1A * RCVD AT 4/12/2004 13:41:25 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-3/24 * DNIS:2731267 * CSID:9704680104 * DURATION (mm-ss):02-36	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Catt	
Application No.: 09/655,355	Group Art Unit: 1743
Filed: 9/5/2000	Examiner: J. Snay
Title: Fertility Computing System and Method	
Attorney Docket No.: IMIN.P-039	

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF DECISION ON PETITION

Dear Sir:


Applicants request reconsideration of Decision on Petition mailed April 8, 2004.

The Decision on Petition states that "the Office Letter mailed March 26, 2003, clearly states that the drawings filed on September 5, 2000 are not acceptable for the reasons identified on the attached PTO-948." Accordingly, the Decision on Petition concludes that the abandonment was proper.

Applicants did not receive an Office Letter mailed March 26, 2003. Furthermore, the PAIR system that is accessible to Applicants does not indicate that any paper was mailed on this date. A copy of this print out is attached. Thus, it may be that the paper that was considered in preparing the Decision on Petition was for another case. Thus, it is believed that the Application was improperly abandoned, and that it should be reinstated.

Applicants further note that the original application contains an alternative request to

I hereby certify that this paper and any attachments named herein are transmitted to the United States Patent and Trademark Office, Fax number: (703) 872 9306 on April 12, 2004.


Marina T. Larson, PTO Reg. No. 32,038

April 12, 2004
Date of Signature

revive the application as unintentionally abandoned. Applicants cannot provide new drawings responsive to a paper stating that new drawings are needed in the absence of knowledge of what the paper contained. Thus, if the Patent Office maintains on reconsideration that this paper was in fact mailed, and that the application was therefore properly abandoned, a copy of this paper explaining the deficiencies in the drawings and time for filing a response is hereby requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Marina T. Larson", followed by a horizontal flourish.

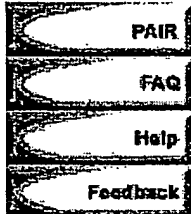
Marina T. Larson, Ph.D.
PTO Reg. No. 32,038
Attorney for Applicants
970 468 6600 x 152



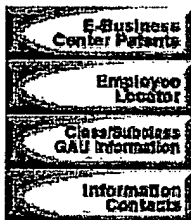
United States Patent and Trademark Office

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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Search results for application number: 09/655,355			
Application Number:	09/655,355	Customer Number:	21121
Filing or 371(c) Date:	09-05-2000	Status:	Abandonment for Failure to Correct Drawings/Oath/NonPub Request
Application Type:	Utility	Status Date:	07-09-2003
Examiner Name:	SNAY, JEFFREY R	Location:	TECH CENTER 1700 - DIRECTOR 1
Group Art Unit:	1743	Location Date:	04-08-2004
Confirmation Number:	7944	Earliest Publication No:	-
Attorney Docket Number:	1258-017B	Earliest Publication Date:	-
Class/ Sub-Class:	436/514	Patent Number:	-
First Named Inventor:	Michael Catt, Wellingborough, GBN (GB)	Issue Date of Patent:	-
Title Of Invention:	FERTILITY COMPUTING METHOD		

Select Search Option

Continuity Data

Patent Term Adjustment History

Search

File History		
Number	Date	Contents Description
40	04-08-2004	Petition Decision - Denied
39	01-02-2004	Petition Entered
38	07-09-2003	Mail Abandonment for Failure to Correct Drawings/Oath
37	07-09-2003	Abandonment for Failure to Correct Drawings/Oath/NonPub Request
36	04-01-2003	Receipt into Pubs
35	03-28-2003	Receipt into Pubs
34	03-28-2003	Workflow - Query Request - Finish
33	03-18-2003	Workflow - Query Request - Begin
32	03-13-2003	Receipt into Pubs
31	03-12-2003	Application Is Considered Ready for Issue
30	02-26-2003	Mailroom Date of Issue Fee Payment
29	09-05-2000	Workflow - Drawings Finished
28	09-05-2000	Workflow - Drawings Matched with File at Contractor
27	02-26-2003	Issue Fee Payment Recorded
26	02-26-2003	Receipt into Pubs
25	01-08-2003	Workflow - File Sent to Contractor

24	01-01-2003	J03 Workflow - File Sent to Contractor
23	01-08-2003	Receipt into Pubs
22	01-07-2003	Dispatch to Publications
21	01-07-2003	Mail Corrected Notice of Allowance
20	01-07-2003	Mail Examiner's Amendment
19	01-07-2003	Corrected Notice of Allowance
18	01-07-2003	Examiner's Amendment Communication
17	12-17-2002	Mail Notice of Allowance
16	12-16-2002	Notice of Allowance Data Verification Completed
15	12-16-2002	Notice of Allowability
14	10-29-2002	Correspondence Address Change
13	10-30-2002	Change in Power of Attorney (May Include Associate POA)
12	10-29-2002	Date Forwarded to Examiner
11	10-21-2002	Response to Election / Restriction Filed
10	10-21-2002	Request for Extension of Time - Granted
9	06-12-2002	Mail Restriction Requirement
8	06-12-2002	Requirement for Restriction / Election
7	11-01-2001	Case Docketed to Examiner in GAU
6	09-05-2000	Information Disclosure Statement (IDS) Filed
5	01-18-2001	Case Docketed to Examiner in GAU
4	10-25-2000	Application Dispatched from OIPE
3	10-25-2000	Correspondence Address Change
2	09-22-2000	IFW Scan & PACR Auto Security Review
1	09-05-2000	Initial Exam Team nn

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